

## REMARKS

1. Claims 2, 33, 35, 36, 38, 43 and 44 are amended.
2. Claims 2-14, 16-25 and 33-44 are not unpatentable over Kaydyk in view of Ginter and Watanabe under 35 U.S.C. §103(a).

Claim 33 is amended to recite that the data structure of the content packet is examined to identify download properties of the content packet and compatibility of the at least one content component with the wireless device. At least one content component is selected that is indicated as compatible with the wireless device. The combination of Kaydyk and Ginter or Watanabe does not disclose or suggest these features.

Claim 35 is amended to recite that a “device specific” content packet is formed. The combination of Kaydyk with Watanabe or Ginter does not disclose or suggest forming a “device specific” content packet as described and claimed by Applicant.

Claim 43 is amended to recite means for forming a “device specific” content packet. Again, this is not disclosed or suggested by the combination of Kaydyk and Ginter or Watanabe.

Claims 2-14, 16-25, 34, 36-42 and 44 should be allowable at least by reason of their respective dependencies.

Furthermore, as to the rejection of claim 18 the Examiner alleges that Kaydyk disclose a method for associating content with a separate data structure (header) in a wireless communication device. However, Claim 18 recites that *the content components are stored as separate files, wherein the system comprises means for combining content components belonging to a content packet with the content packet, for loading into the wireless communication device.* This is not disclosed by Kaydyk in combination with Ginter and Watanabe.

Figure 7 of Kaydyk discloses a data structure 220 which is used in sending messages. The protocol described with respect to FIG. 7 is illustratively placed on the message

prior to the network layer protocol. In a paging system, this means that the layer is illustratively inserted between the application and network layers. (Col. 9, lines 52—58)

Figure 11 of Kaydyk is a flow diagram illustrating one embodiment of the operation of component 210 utilizing a FLEX-type paging protocol. Error detection information 266 (FIG. 7) not only indicates that an error is present, but also identifies the particular data blocks in error. In that instance, component 210 compares the message headers to ensure that the sequence numbers match. This is indicated in blocks 286 and 288 in FIG. 11. If they do not match, component 210 simply returns the first instance of the message as the true message, and sets appropriate error flags. This is indicated by blocks 290 and 292. (Col. 13, lines 39—49)

On the basis of above, figure 11 only relates to error handling i.e. if a data block is in error, an indication that an error is present is generated. Figure 7 and the corresponding disclosure are also silent on storing separate content components as separate files and combining components (in the files) belonging to the same content packet with the content packet, as recited in the claim. Therefore, claim 18 is not taught by Kaydyk.

As to the rejection of claim 19, claim 19 recites that “*different versions of device-specific content components are stored in the content packet server for different types of wireless communication devices, and that the content packet server comprises means for finding out the properties of the wireless communication device, and means for selecting device-specific content components of the content packet to be loaded, from said stored different versions of device-specific content components, for loading content packets into the wireless communication device.*” (Emphasis added) This is not disclosed or suggested by the combination of Kaydyk and Ginter or Watanabe

The Examiner refers to Ginter, Figs. 5b, 17, 20, 26—30. These figures do not show anything which could imply the device-specific subject matter of claim 19. Col. 34 lines 21—44 of Ginter discloses that the “*design of the VDE foundation, VDE load modules, and VDE containers, are important features that enable the VDE node operating environment to be compatible with a very broad range of electronic appliances. The ability, for example, for control methods based on load modules to execute in very*

*"small" and inexpensive secure sub-system environments, such as environments with very little read/write memory, while also being able to execute in large memory sub-systems that may be used in more expensive electronic appliances, supports consistency across many machines. This consistent VDE operating environment, including its control structures and container architecture, enables the use of standardized VDE content containers across a broad range of device types and host operating environments. Since VDE capabilities can be seamlessly integrated as extensions, additions, and/or modifications to fundamental capabilities of electronic appliances and host operating systems, VDE containers, content control information, and the VDE foundation will be able to work with many device types and these device types will be able to consistently and efficiently interpret and enforce VDE control information."* This does not describe what is recited by Applicant in the claims.

Further, col. 34 lines 54—65 of Ginter reads for example, *"features of the present invention include: (a) VDE system software to in part extend and/or modify host operating systems such that they possesses VDE capabilities, such as enabling secure transaction processing and electronic information storage; (b) one or more application programs that in part represent tools associated with VDE operation; and/or (c) code to be integrated into application programs, wherein such code incorporates references into VDE system software to integrate VDE capabilities and makes such applications VDE aware"*. These passages disclose that different kind of devices can be modified to contain VDE (virtual distribution environment) capabilities, but it does not teach that different versions of device-specific content components are stored and from the stored device-specific content components such versions are selected which correspond with the wireless communication device to which the content packet will be loaded. The "complex" packet header of Figs. 26—30 do not disclose any device specific or device related data fields. Therefore, the features of claim 19 are not disclosed or suggested by Kaydyk in view of Watanabe or Ginter.

As to the rejection of claim 36 the Examiner argues that Ginter shows content definition within a complex packet header that includes metadata and multimedia data classified

by type that is conventional functional equivalent of the claim limitations. Claim 36, which depends from claim 35 recites

*selecting the contact packet for download to a particular wireless device;*

*examining the data structure of the content packet to identify download properties of the content packet and compatibility of the at least one content component with the particular wireless device;*

*compiling the contact packet for download to the particular wireless device and downloading the contact packet to the particular wireless device;*

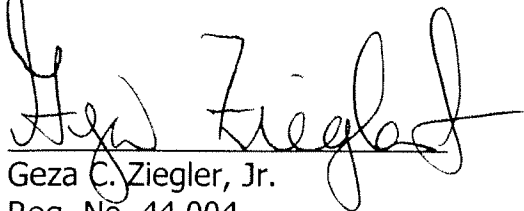
*selecting one or more of the at least one content component in the downloaded contact packet for activation; and*

*activating the selected at least one content component in the particular wireless device.*

The Examiner's statement that Ginter shows content definition within a complex packet header that includes "metadata and multimedia data classified by type" does disclose or suggest the features recited in claim 36. In claim 36 the data structure of the content packet is examined to identify download properties of the content packet and compatibility of a content component with the particular wireless device. The classification by type referred to by the Examiner does not teach this feature. At least these differences make claim 36 novel and unobvious with respect to the combination of Kaydyk and Ginter or Watanabe. These arguments are also applicable to the rejection of claim 44.

The Commissioner is hereby authorized to charge \$810 for a Request for Continued Examination together with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

31 October 2007  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

#### **CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 31 October 2007

Signature: Frances J. Snow  
Frances L. Snow  
Person Making Deposit